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Introduced by Mr. BURGIN, of Buncombe.

W. W. Holden, Printer to the State.

A BILL TO BE ENTITLED "AN ACT TO ESTABLISH THE EIGHTH JUDICIAL CIRCUIT, AND FOR OTHER PURPOSES."

SECTION 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That hereafter, the Seventh Judicial Circuit shall be composed of the following named counties, and the Superior Courts thereof, shall be held at the following times, to wit:

Alexander county, on the first Monday of March and September.

Caldwell county, on the second Monday of March and September.

Watauga county, on the third Monday of March and September.

Burke county, on the fourth Monday of March and September.

Mitchell county, on the first Monday after the fourth Monday in March and September.

McDowell county, on the second Monday after the fourth Monday in March and September.

Rutherford county, on the third Monday after the fourth Monday in March and September.

Polk county, on the fourth Monday after the fourth Monday in March and September.

Gaston county, on the fifth Monday after the fourth Monday in March and September.

25 Cleveland county, on the sixth Monday after the fourth  
26 Monday in March and September.

27 Catawba county, on the seventh Monday after the fourth  
28 Monday in March and September.

SEC. 2. *Be it further enacted*, That in addition to the  
2 Judicial Circuits that now exist, there shall be an addition-  
3 al one called the Eighth Judicial Circuit, to be governed  
4 by the same laws, rules and regulations as the other Judi-  
5 cial circuits in this State, composed of the following named  
6 counties; and the superior courts thereof shall be held at  
7 the following times, to wit:

8 Clay county, on the first Monday in March and Septem-  
9 ber.

10 Cherokee county, on the second Monday in March and  
11 September.

12 Macon county, on the third Monday in March and Sep-  
13 tember.

14 Jackson county, on the fourth Monday in March and  
15 September.

16 Haywood county, on the first Monday after the fourth  
17 Monday in March and September.

18 Transylvania county, on the second Monday after the  
19 fourth Monday in March and September.

20 Henderson county, on the third Monday after the fourth  
21 Monday in March and September.

22 Madison county, on the fourth Monday after the fourth  
23 Monday in March and September.

24 Yancy county, on the fifth Monday after the fourth Mon-  
25 day in March and September.

26 Buncombe county, on the sixth Monday after the fourth  
27 Monday in March and September, and shall continue two  
28 weeks, or three weeks successively when the business shall  
29 require it.

SEC. 3. *Be it further enacted*, That one Judge of the Su-  
2 perior Court, in addition to the seven now authorized by  
3 law, shall be elected, who shall hold and exercise his office  
4 under the same laws, rules and regulations as the Judges



5 of the Superior courts now hold their offices ; and there  
6 shall be one additional Solicitor for the said Eighth Judi-  
7 cial Circuit, who shall be elected, and hold his office under  
8 the same laws, rules and regulations as now exist by  
9 law.

SEC. 4. *Be it further enacted*, That all process issuing  
2 and to be issued from said Superior Courts, or any of them,  
3 shall be made returnable under the same laws, rules and  
4 regulations as heretofore, at the times, respectively, in this  
5 act mentioned, and the Clerks respectively of said Courts  
6 are directed to issue all process returnable accordingly,  
7 under the same penalties for failing so to do that now ex-  
8 ist by law, and the Sheriffs and other officers are directed  
9 to return all process now issued at the times herein men-  
10 tioned, under like fines and penalties for failing so to do  
11 as now exist by law.

SEC. 5. *Be it further enacted*, That the spring terms of  
2 said Superior Courts herein provided for, shall not be held  
3 until such time as the spring terms of the other Superior  
4 Courts in this State may be held, and all process issued,  
5 issuing and to be issued from said Superior Courts, shall  
6 be returnable at the fall terms of said Superior Courts un-  
7 der the provisions and regulations of an act entitled "An  
8 act to change the jurisdiction of the Courts and the rules  
9 of pleading therein," passed at the second extra session of  
10 the General Assembly, held A. D., 1861, until such time  
11 as the Legislature may direct the spring terms of the seve-  
12 ral Superior Courts of the State to be held, when all the  
13 provisions of this act shall operate and be of force and  
14 effect.

SEC. 6. *Be it further enacted*, That the Courts of Pleas  
2 and Quarter Sessions of the several counties embraced  
3 in the seventh and eighth Judicial Circuits, shall be held  
4 in their respective counties at the following times, to wit :  
5 Alexander county, on the first Monday in March, June,  
6 September and December.

- 8 Caldwell county, on the second Monday in March, June,  
9 September and December.
- 10 Watauga county, on the third Monday in March, June,  
11 September and December.
- 12 Burke county, on the fourth Monday in March, June,  
13 September and December.
- 14 Mitchell county, on the first Monday after the fourth  
15 Monday in March, June, September and December.
- 16 McDowell county, on the second Monday after the fourth  
17 Monday in March, June, September and December.
- 18 Rutherford county, on the third Monday after the fourth  
19 Monday in March, June, September and December.
- 20 Polk county, on the fourth Monday after the fourth  
21 Monday in March, June, September and December.
- 22 Gaston county, on the fifth Monday after the fourth  
23 Monday in March, June, September and December.
- 24 Cleveland county, on the sixth Monday after the fourth  
25 Monday in March, June, September and December.
- 26 Catawba county, on the seventh Monday after the fourth  
27 Monday in March, June, September and December.
- 28 Clay county, on the first Monday in March, June, Sep-  
29 tember and December.
- 30 Cherokee county, on the second Monday in March, June,  
31 September and December.
- 32 Macon county, on the third Monday in March, June,  
33 September and December.
- 34 Jackson county, on the fourth Monday in March, June,  
35 September and December.
- 36 Haywood county, on the first Monday after the fourth  
37 Monday in March, June, September and December.
- 38 Transylvania county, on the second Monday after the  
39 fourth Monday in March, June, September and December.
- 40 Henderson county, on the third Monday after the fourth  
41 Monday in March, June, September and December.
- 42 Madison county, on the fourth Monday after the fourth  
43 Monday in March, June, September and December.



44 Yancey county, on the fifth Monday after the fourth  
45 Monday in March, June, September and December.

46 Buncombe county, on the sixth Monday after the fourth  
47 Monday in March, June, September and December.

SEC. 7. *Be it further enacted*, That all process issuing  
2 and to be issued from said Courts of Pleas and Quarter  
3 Sessions, or any of them, shall be made returnable respect-  
4 ively under the same laws, rules and regulations as here-  
5 tofore, at the times respectively in the sixth section of this  
6 act mentioned, and the Clerks respectively of said Courts  
7 of Pleas and Quarter Sessions are directed to issue all  
8 process issuable from said last named Courts, returnable ac-  
9 cordingly, under the same fines, forfeitures and penalties  
10 for failing so to do as now exist by law, and all Sheriffs  
11 and other officers are directed to return all process now  
12 issued at the times, respectively, in the sixth section of  
13 this act mentioned, under like fines, forfeitures and pen-  
14 alties for failing so to do as now exist by law: *Provided*,  
15 *nevertheless*, That process issuing and to be issued from  
16 said Courts of Pleas and Quarter Sessions shall be made  
17 returnable, except as to the time of holding said last  
18 named Courts, as now provided by an act, entitled "An  
19 act to change the jurisdiction of the Courts and the rules  
20 of pleading therein," passed at the second extra session of  
21 the General Assembly, held A. D., 1861, until said last  
22 named act is repealed, in so far as the same makes pro-  
23 vision as to the issuance and return of process in said last  
24 named Courts, when all the provisions of this act shall  
25 operate and be of force and effect.

SEC. 8. *Be it further enacted*, That all laws and clauses  
2 of laws coming in conflict with the provisions of this act,  
3 be and the same are hereby repealed, and that this act  
4 take effect from and after its ratification.

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